

PATENT
Serial No. 09/954,648
Amendment in Reply to Office Action mailed on March 1, 2006

REMARKS

The following remarks are being filed in response to the Office Action mailed March 1, 2006, which has been reviewed and carefully considered.

By means of the present amendment, claim 19 has been canceled without prejudice and claims 1 and 7 have been amended. Claims 1-18 and 20 are now pending in this application, with claims 1 and 7 being the only independent claims.

Reconsideration and allowance of the application in view of the following remarks are respectfully requested.

In the Office Action, claims 1-18 and 20 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,707,476 (Hochstedler) in view of U.S. Patent No. 6,400,996 (Hoffberg) and U.S. Patent No. 6,593,938 (Sakata). Further, claim 19 rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Hochstedler in view of Hoffberg, Sakata and U.S. Patent No. 6,452,617 (Bates). It is respectfully submitted that claims 1-18 and 20 are patentable over Hochstedler, Hoffberg, Sakata and Bates for at least the following reasons.

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As correctly noted in the Office Action in rejecting claim 19, Hochstedler, Hoffberg and Sakata do not teach or suggest a single click mechanism as the first actuation and a double click mechanism for the second actuation. Bates is cited in an attempt to remedy these deficiencies in Hochstedler, Hoffberg and Sakata.

Without agreeing with the Examiner and assuming, arguendo, that Bates teaches these features, it is respectfully submitted that Bates, Hochstedler, Hoffberg, Sakata, and combinations thereof, do not teach or suggest the present invention as recited in amended independent claim 1, and similarly recited in amended independent claim 7, which amongst other patentable elements, requires (illustrative emphasis provided):

single clicking of an input device to accept the displayed optimized arrangement and double clicking of the input device to cancel the displayed optimized arrangement.

These features are nowhere taught or suggested in Hochstedler, Hoffberg, Sakata and Bates. Accordingly, it is respectfully submitted that independent claims 1 and 7 are allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2-6, 8-18 and 20 should also be

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allowed at least based on their dependence from independent claims 1 and 7.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or charges are required for entrance of the accompanying amendment, they may be charged to Applicant's representatives Deposit Account No. 50-3649. In addition, please credit any overpayments related to any fees paid in connection with the accompanying amendment to Deposit Account No. 50-3649.

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In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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